

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

WILLIAM ROBERT PATE, #14472-047           §  
VS.   §                   CIVIL ACTION NO. 6:12cv101  
UNITED STATES OF AMERICA                   §

ORDER OF DISMISSAL

The above-styled 28 U.S.C. § 2255 motion to vacate, set aside or correct Petitioner's federal sentence was heretofore referred to United States Magistrate Judge Judith K. Guthrie. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

**ORDERED** that the 28 U.S.C. § 2255 motion to vacate, set aside or correct Petitioner's federal sentence is **DISMISSED** without prejudice. A certificate of appealability is **DENIED**. Any and all motions which may be pending in this civil action are hereby **DENIED**.

**So ORDERED and SIGNED this 3rd day of July, 2012.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS**  
**UNITED STATES DISTRICT JUDGE**